

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAN 20 2006

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ROY ALLEN THOMAS, JR.,
Plaintiff,

Civil Action No. 7:05-CV-00792

MEMORANDUM OPINION AND
ORDER

v.

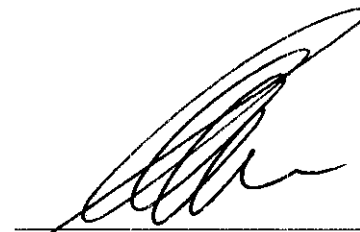
MRS. HENRY, et al.,
Defendants.

By: Samuel G. Wilson
United States District Judge

This matter is before the court on plaintiff Roy Allen Thomas' motion for a temporary restraining order and a preliminary injunction. Thomas claims that prison officials have housed him in an administrative segregation unit, hindering his ability to earn good time credit. A district court should award preliminary injunctive relief sparingly and only when the party seeking relief has demonstrated actual, imminent, irreparable harm. Rum Creek Coal Sales, Inc. v. Caperton, 926 F.2d 353, 360 (4th Cir. 1991); Manning v. Hunt, 119 F.3d 254, 263 (4th Cir. 1997); Direx Israel, Ltd. v. Breakthrough Medical Group, 952 F.2d 802, 812 (4th Cir. 1991)(citation omitted). Thomas has failed to show that segregated housing poses imminent actual harm to him, much less irreparable harm incapable of remedy after a trial on the merits. Accordingly, it is **ORDERED** that Thomas's motion for a temporary restraining order and/or a preliminary injunction is **DENIED**.

The Clerk is directed to send certified copies of this order to the plaintiff and to counsel of record for the defendants, if known.

ENTER: This 20th day of January, 2006.


United States District Judge